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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

CHRISTOPH LODDE

Serial No. 09/755,864

Filed: JANUARY 5, 2001

For: TEXTILE ADHESIVE TAPE

) Art Unit: To Be Assigned  
) Examiner: To Be Assigned  
)

**RESPONSE TO NOTICE OF INCOMPLETE REPLY**

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

Please consider the following in response to the Notice of Incomplete Reply (Nonprovisional) mailed July 5, 2001 in the patent application identified above.

The original claims for this application are submitted herewith commencing on a separate sheet. Also submitted herewith is a request for extension of time. However, for the reasons stated below, the applicant submits that no such extension is required.

The Notice of Incomplete Reply states that the applicant's reply to the Notice to Filing Missing Parts did not include claims commencing on a separate sheet. The applicant concurs and here resubmits those claims commencing on a separate sheet. These claims are identical to the claims earlier submitted.

The Notice of Incomplete Reply also asserts that the requirement for claims commencing on a separate sheet is an item "required in the Notice [to File Missing Parts]". The applicant respectfully traverses that assertion. A copy of the Notice to Filing Missing Parts is attached to this response. That Notice indicates the following items, and only those items, missing from the application:

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231, on July 13, 2001.

Roger T. Frost - Reg. No. 22,176

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Application No. 09/755,884  
Response to Notice of Incomplete Reply

- Basic filing fee.
- Oath or declaration.
- English translation.

Neither the requirement for claims commencing on a separate sheet, nor the Rule (37 C.F.R. 1.75(h)) is mentioned in that Notice.

The applicant's previous Response included each missing item, as listed above and on the Notice. Accordingly, that Response was complete as to all items required by that Notice.

Because the applicant's earlier Response was in fact complete, it is improper to require the applicant to obtain and pay for an extension of time for responding to that earlier Notice. The applicant thus traverses the finding of incompleteness and the requirement to obtain an extension of time.

As a provisional matter, the applicant here submits a request for a two-month extension of time so as to avoid further costs, if the Office fails to concur that the requirement for an extension is improper in the present circumstances. However, the inclusion of this request for extension should not be taken as an admission by the applicant that an extension is required.

Respectfully submitted,



Roger T. Frost  
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Docket: 44815/251563  
(26010-251563)



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/755,884	04/30/2001	Christoph Lodde	44815/251563

## CONFIRMATION NO. 4102

23594

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## FORMALITIES LETTER



\*OC000000006259565\*

Date Mailed: 07/05/2001

## NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

*Filing Date Granted*

The U.S. Patent and Trademark Office has received your reply on to the Notice mailed and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

- The Claim(s) commencing on a separate sheet (37 CFR 1.75(h)).

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*A copy of this notice MUST be returned with the reply.*

*S R*


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